



Osteopathic Practice Committee
27 February 2014
Effectiveness of regulation research

Classification	Public
Purpose	For noting
Issue	The scoping report for the effectiveness of regulation research.
Recommendations	To note the scoping report and progress on 'Exploring and explaining the dynamics of osteopathic regulation, professionalism and compliance with standards in practice'.
Financial and resourcing implications	The total costs of this research are £79,987 (including full economic costs) which is being funded from reserves as previously agreed by Council.
Equality and diversity implications	Equality and diversity implications will be taken into account as part of the research.
Communications implications	Regular communications about the research have appeared in the osteopath and also the e-bulletins to osteopaths. We have also provided information to the OEIs, the Osteopathic Alliance and the British Osteopathic Association. Communications to patients will go out shortly now that full ethical approval has been obtained.
Annex	Exploring and explaining the dynamics of osteopathic regulation, professionalism and compliance with standards in practice: Scoping Report to the General Osteopathic Council, 4th Feb 2014.
Author	Fiona Browne.

Background

1. On 13 December 2012, the Council agreed to commission research on the effectiveness of osteopathic regulation. The work is important as it will help us to explore which regulatory interventions are more effective in achieving our goal of patient safety and quality of care.
2. Regulation is about public and patient safety and enhancement of the quality of care – about providing reassurance to the public and patients. However, recent inquiries have shown that there is increasing public concern about distant ‘tick box’ forms of regulation, and that regulators should develop forms of regulation that promote professionalism and compliance with standards in practice.
3. We are interested in regulation which achieves the desired outcome of public and patient safety and enhancement of the quality of care – not in ticking boxes. Therefore, the GOsC has commissioned research by researchers from the Universities of Warwick, Nottingham and Oxford, to explore these questions in the osteopathic context with a view to influencing the future model of osteopathic regulation and to inform key areas of policy development such as continuing fitness to practise.
4. This paper provides information about the progress of commissioning of this research, the agreed deliverables for the research and the draft scoping report of prepared by the Research Team. The Committee are asked to consider and comment on the scoping report and to agree to its publication.

Discussion

Commissioning of the research

5. The invitation to tender was advertised during May and June 2013.
6. In June 2013, we received three high quality tenders all from teams of experts in this niche field. All those tendering were interviewed by a panel comprising:
 - Professor Colin Coulson-Thomas
 - Mr Tim Walker
 - Ms Fiona Browne
 - Dr Jorge Esteves was an expert advisor to the panel.
7. Professor Gerry McGivern, University of Warwick, Professor Justin Waring, University of Nottingham and Dr Michael Fischer, University of Oxford were successfully appointed in July 2013 subject to contract.
8. In their original proposal the team outlined a variety of questions to support an understanding of effective regulation in the osteopathic context as follows:

- How do Osteopaths understand the *Osteopathic Practice Standards* and judge whether their own practice, and that of their colleagues, complies with these standards?
 - Which osteopathic regulatory activities most support or hinder better osteopathic practice, patient quality and safety?
 - Which standards are more or less difficult to comply with, and if so why?
 - How do patients and members of the public judge the effectiveness and usefulness of osteopathic treatment complies with standards?
 - How do osteopaths, the public and patients judge the effectiveness of osteopathic regulatory activities and standards?
 - Are there any variations in respondents' views, and if so, what accounts for such variations?
 - How do wider educational, organisational and regulatory activities affect compliance with standards and effective osteopathic practice?
 - How can the GOsC evaluate and demonstrate the effectiveness of its regulatory activities on an on-going basis?
9. Contract negotiations and signing of the contract took place in September and November 2013.

Deliverables for the research

10. The contract deliverables are as follows:

Date	Deliverable
1 November 2013	Scoping report including: <ul style="list-style-type: none"> • Confirmed method and timescales • Agreed acceptance criteria • Milestones to be reported in February 2014, May 2014 and August 2014 • Development of interview questions.
1 February 2014	Progress report and delivery of milestones agreed in scoping report
1 May 2014	Progress report and delivery of milestones agreed in scoping report.
1 August 2014	Delivery of draft final report
September/ October 2014	Delivery of final report and dissemination

Research progress

11. The scoping report dated 4 February 2014 is set out at the Annex and demonstrates that the research is progressing to the plan outlined in the scoping report. The timings have been slightly adjusted to take account of the later commencement of the research than originally planned. However, it is expected that the research will complete by December 2014.
12. Key points to note include:
 - Ethical approval has now been granted (in fact since the drafting of the scoping report, full ethical approval has now been granted).
 - Supporting project researchers have now been recruited by the research team with expertise in both osteopathy and regulation.
 - A draft literature review has been drafted and discussed by the project team ready for delivery during February.
 - Articles in the osteopath and the e-bulletin have ensured that awareness about the project has been raised with our stakeholders. Dedicated communications have also been sent to the British Osteopathic Association, the Osteopathic Alliance and the Osteopathic Educational institution to support recruitment. Communications with patients and the public will be undertaken shortly now that full ethical approval has been granted. This will support a diversity of interviewees but also will encourage participation in the survey of the whole profession during June 2014.
 - The scoping report meets the requirements outlined in paragraph 10 above.
13. The research team have also set up an advisory board with expertise in research and regulation and osteopathy to support them during the project. The advisory board membership comprises:
 - Douglas Bilton (Professional Standards Authority)
 - Fiona Browne (General Osteopathic Council)
 - Michael Fisher (CI, Oxford University)
 - Michael Guthrie (Health and Care Professions Council)
 - Gerry McGivern (PI, Warwick University)
 - Brenda Mullinger (Lay person and researcher)
 - Haidar Ramadan (GOsC Council member and osteopath)
 - Julie Stone (GOsC Council member and lay person)
 - Steve Vogel (Osteopath, researcher, British School of Osteopathy)

- Justin Waring (CI, Nottingham University).

14. It is envisaged that the Advisory board will meet twice during the project and will receive electronic updates and will comment electronically during the research.

15. We are working well with the researchers to support the research.

Recommendation: to note the scoping report and progress on 'Exploring and explaining the dynamics of osteopathic regulation, professionalism and compliance with standards in practice'.

Exploring and explaining the dynamics of osteopathic regulation, professionalism and compliance with standards in practice: Scoping Report to the General Osteopathic Council, 4th Feb 2014.

Prof Gerry McGivern, Warwick Business School.

Introduction and research background

In June 2013, the General Osteopathic Council (GOsC) invited research proposals to investigate the effectiveness of osteopathic regulatory activities and other factors influencing registrants' compliance with the Osteopathic Practice Standards (see invitation to tender at Appendix 1 to this report). The GOsC wanted to commission research about the effectiveness of regulatory activities in the osteopathic context to better understand what factors encourage and inhibit osteopaths from practising in accordance with GOsC standards and, consequently, what regulatory activities could support osteopaths to practise in accordance with standards. The research findings should enable the GOsC to target regulatory activities to more effectively and efficiently support patient safety and quality of care.

To conduct this research, the GOsC appointed a research team comprising Professor Gerry McGivern (University of Warwick), Professor Justin Waring (University of Nottingham) and Dr Michael Fischer (University of Oxford). The project proposal is entitled: 'Exploring and explaining the dynamics of osteopathic regulation, professionalism and compliance with standards in practice.' This document comprises a scoping report setting out how the research team propose to conduct this research and reports the progress made to date in the research project.

The original proposal (attached at Appendix 2), details how the research would enable the GOsC to provide efficient and effective regulatory activities, influence registrants to comply with Osteopathic Practice Standards, determine factors that encourage or inhibit compliance with standards, and thus support the provision of safe and high quality care to osteopathy patients. The research team noted that, in the aftermath of the Mid-Staffordshire NHS scandal and Francis Report, there is increasing public concern about distant 'tick box' forms of regulation, and that regulators should get closer to clinical practice and develop forms of regulation that promote professionalism and compliance with standards *in practice*. We suggested that effective regulation first requires a close analysis of the often complex and ambiguous nature of regulation in practice. How regulation is perceived, enacted and affects those it aims to regulate has a strong bearing on whether it will achieve its aims, but this may, at times, be determined by both rational and non-rational factors (e.g. anxiety, stories about regulation) and the wider regulatory context, beyond the control of the GOsC. We also suggested that creating 'formative spaces' within regulatory systems, in which professionals felt safe to openly discuss and address any problems they might be facing in their practice, could be an important part of effective regulation, which achieves its intended outcome of patient safety and quality of care. To answer the GOsC's research questions, we posited wider questions:

- How do Osteopaths understand *Osteopathic Practice Standards* and judge whether their own practice, and that of their colleagues, complies with these standards?
- Which osteopathic regulatory activities most support or hinder better osteopathic practice, patient quality and safety?
- Which standards are more or less difficult to comply with, and if so why?
- How do patients and members of the public judge the effectiveness and usefulness of osteopathic treatment complies with standards?
- How do osteopaths, the public and patients judge the effectiveness osteopathic regulatory activities and standards?

- Are there any variations in respondents’ views, and if so, what accounts for such variations?
- How do wider educational, organisational and regulatory activities affect compliance with standards and effective osteopathic practice?
- How can the GOsC evaluate and demonstrate the effectiveness of its regulatory activities on an on-going basis?

Scoping report

Our proposal detailed a number of stages in our research project. Our preparations for the project suggest that the approach proposed in that proposal remains appropriate, although we have modified our research plans slightly, most notably to increase the number of interviews we will conduct to capture the views and experience range of Osteopaths and Osteopathic organisations.

Project monitoring plan

The table below sets out an indication of activities to be completed ahead of each progress report. Activities will be judged ‘complete’ on the basis that members of the research team agree with GOsC that they have been satisfactorily achieved and that on-going research plans remain appropriate in light of emergent findings. Progress will be reviewed at each milestone and the timescales or activities may be adjusted to ensure that the research activities remain appropriate in light of emerging findings with agreement between GOsC and the research team.

Date	Activity	Status
End Jan 2014	Recruit project researchers. Preliminary analysis of GOsC revalidation pilot reports and public fitness to practise information. Submit research ethics application. Delivery of scoping report (including confirmed methods and timescales) Publish timescales for involvement in <i>the osteopath</i> .	Complete
End Jan 2014	Milestone – Delivery of the agreed Scoping Report.	Complete
End Feb 2014	Delivery of draft review of literature on Osteopathy and regulation. Receive research ethical approval. Research team discuss draft literature reviews and analysis of GOsC revalidation pilot reports and public fitness to practise information. Devise and agree interviewee-sampling framework informed by literature review. Devise and agree first draft interview questions informed by literature review. Complete pilot of interview questions. Finalise interview questions Begin arranging interviews.	To be completed (TBC)
1 April 2014	Milestone 1 - Delivery of Progress Report 1 confirming completion of activities listed above.	TBC
End May 2014	Delivery of complete literature reviews. Complete analysis of GOsC revalidation pilot data. Complete interviews including: Semi – structured in depth qualitative interviews with a range of stakeholders including:	TBC

Appendix 2 to Annex to 14

Date	Activity	Status
	<ul style="list-style-type: none"> • a range of osteopaths - sampled on the basis of educational modality, geography, years in practice as an osteopath, sole/group practice, age, ethnicity, sexuality, gender, etc. • Participants and assessors from the revalidation pilot • Osteopaths subject to a complaint considered by GOsC • Representatives from the Osteopathic Alliance, • Representatives from the British Osteopathic Association, • Representatives from all Osteopathic Educational Institutions • Representatives from other regulators (e.g. General Chiropractic Council, Health and Care Professions Council, General Dental Council), • Osteopathic patients, and representatives of the public and • Wider stakeholders (e.g. osteopathic insurers, professional litigation lawyers, journalists) in osteopathic regulation. <p>Transcribe interviews. Complete an initial coding and analysis of interview data, using theoretically informed iterative methods Devise question for online survey. Pilot online survey questions, informed by literature review and analysis of interview data. Agree online survey questions Publicise online survey with Osteopaths. Hold second meeting of Project Board to discuss emerging findings.</p>	
End of June 2014	Milestone 2 - Delivery of Progress Report 2 confirming completion of activities listed above.	TBC
End June 2014	Complete online survey. Begin analysing survey data. Begin writing up final project report.	TBC
End Sept 2014	Complete analysis of interview and survey data. Complete first draft of project report. Hold workshop disseminating and validating findings with stakeholders.	TBC
End Oct 2014	Complete/deliver near-final draft project report to the GOsC for comment and feedback.	TBC
End Oct 2014	Milestone 3 - Delivery of first draft of Final Report	TBC
End Nov 2014	Complete/deliver final project report to the GOsC.	TBC
December 2014	Milestone 4 - Delivery of agreed Final Report.	TBC
End 2015	Submit papers for publication in academic journals.	TBC

Research progress to date

Overall, the project is progressing well. While the research contract between the GOsC and the University of Warwick was signed at Warwick later than we planned (November 2013), we are now making progress in line with the contract and the revised timescales outlined in this report.

We conducted an initial preliminary analysis of data from the GOsC revalidation pilot reports and publicly available fitness to practise information. We note that those participating in the

revalidation pilot found the process provided a useful opportunity to reflect on their practice, work more closely with osteopathic colleagues, and made them more aware of Osteopathic Practice Standards, while expressing concerns about the complexity and time consuming nature of the process. We note the individualistic nature of Osteopathy; with most Osteopaths practicing independently, outside the NHS or other large employers (in contrast with other clinical professions, where team-working is more common). We also note a relatively low rate of complaints to the GOsC about osteopaths (particularly compared to Chiropractors, for example) and a range of reasons for complaints.

We held a first Project Advisory Board Meeting on 6th November 2013, attended by Fiona Browne (GOsC), Douglas Bilton (Professional Standards Authority), Steve Vogel (British School of Osteopathy), Haidar Ramadan (GOsC Council Osteopath Member), Gerry McGivern (PI, Warwick University), Michael Fischer (CI, Oxford University), Justin Waring (CI, Nottingham University). Michael Guthrie (Health and Care Professions Council), Brenda Mullinger (Lay person and Researcher) and Julie Stone (GOsC Council Lay Member) were unable to attend the meeting. However, Julie Stone sent helpful comments by email about our research proposal. The meeting provided valuable discussion of our research proposal and initial research ideas, which included:

- The specific nature of the Osteopathic profession and practice and its aspects with greatest potential for complaints;
- The results of the GOsC revalidation pilot;
- Regulatory models that might improve compliance with Standards
- Ways of ensuring compliance with standards as a natural part of professionalism;
- Sampling, drawing on the KPMG revalidation report, including by training school, geography, years in practice, isolated versus group practitioners.
- The possibility of interviewing Osteopaths who had been subject to complaints.

Overall, the meeting provided a fruitful forum for discussion and the group were positive about our proposed direction of research.

In our original proposal we planned to recruit a single project researcher to support the research team. In response to the opportunity of working with two excellent researchers with complementary skills, and in consultation with the GOsC, we have amended our plans and have recruited two project researchers who will work on a part-time basis for the project. These are Dr Oliver Thomson, a trained Osteopath with a PhD on a topic relating to osteopathy practice and researcher at the British School of Osteopathy, and Zoey Spendlove, a PhD candidate at the University of Nottingham, whose thesis examines the introduction of Revalidation for Nurses and Midwives. Both researchers have excellent and relevant qualitative research expertise and bring complementary knowledge of the Osteopathy profession and Revalidation/clinical regulation to the research team. Having two researchers will bring broader subject expertise and enable easier geographic coverage of interviewees. Both will help the research team with sampling interviewees, devising interview questions, conducting interviews, analysing data and writing up findings.

We have now completed draft literature reviews, which will provide the basis for developing our interview questions and sampling framework. These include a draft 5000-word literature review about the history of the Osteopathy profession, its practice and regulation, which has been circulated to the wider research team to enable us to better understand the Osteopathic profession. We note that the Osteopathy profession lobbied Government for osteopathy to be regulated (in contrast to other professions which opposed statutory regulation), leading to the formation of the GOsC in 1993. More recently, following the Trust, Assurance and Safety White Paper (2007), the GOsC was required to introduce a Standard-based 'revalidation' scheme for

osteopaths, which was piloted in 2012. Since then, we note that the landscape has changed and that there is now an expectation of 'continuing fitness to practise – as outlined in the Professional Standards Authority Report, An approach to continuing fitness to practise, (2012). We also note a range of approaches to osteopathy, lack of clear consensus within the profession about what osteopathy is and what constitutes (effective) osteopathic practice, the holistic nature of osteopathic practice, and a limited evidence base for osteopathy. We have also completed a draft 5000-word literature review on generic clinical regulation and revalidation, guided by a list of relevant terms emerging from the Research Advisory Board meeting, which will also inform our research.

We have written short articles for *The Osteopath* (December / January 2014 edition and also the February / March 2014 edition) about the research project, which will be published in the next issue of the journal, asking Osteopaths to volunteers to be interviewed by our research team. The project has also been publicised to key stakeholders to anticipate our contacts with them during February 2014.

We have submitted an application for research ethical approval to the University of Warwick Health and Social Sciences Research Ethics Committee and received conditional ethical approval to begin field research.

Next steps

The next phase of the research project will be for the research team to discuss the literature reviews, devise interview questions, sample interviewees and then conduct pilot interviews, which we plan to begin in February 2014 (subject to the conditions of research ethical approval). In light of the findings of our first literature review and discussion with the GOsC, we now plan to conduct a higher number of interviews than we originally proposed; to include representatives of all ten osteopathic education institutions and a higher number (30) of osteopaths, sampled on the basis of educational modality, geography, years in practice as an osteopath, sole/group practice, age, ethnicity, sexuality, gender, etc. We also plan to interview representatives of regional groups, the Osteopathic Alliance, the British Osteopathic Association, osteopaths (including assessors) who participated in the revalidation pilot, and a small number of osteopaths who had been subject to a complaint investigated by the GOsC. We will also continue to analyse more detailed revalidation pilot data and fitness to practise data to inform our initial views. After analysing interview data, we will run an online survey to test the wider validity of our findings, provisionally in June 2014. We will then analyse the results of the survey, run a dissemination and revalidation workshop, provisionally in September 2014. We aim to deliver our final report to the GOsC by November 2014.

Summary of progress

In sum, the project is progressing well, in line with our research plans and the contract. We will deliver a next report on research progress on 1 April 2014.

Gerry McGivern
Professor of Organisational Analysis, Warwick Business School.
4th February 2014